

June 9, 2009

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., June 9, 2009.

Members present: Mayor W. D. Tharp; Councilman Jeffrey B. Hubbard; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei

Members absent: Councilwoman Mary L. Flood

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Tharp opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Tharp declared that the minutes of a called Council meeting held on May 26, 2009, the minutes of a regular Council meeting held on May 26, 2009, and the minutes of an adjourned meeting held on June 3, 2009, were approved as distributed

City Manager Kolakowski reported on the following:

- The 65th anniversary of D-Day was June 6 and a wonderful commemoration was held at the D-Day Memorial; it was another fine demonstration of the value of the D-Day Memorial to the area and the commemoration honored the sacrifices made by the veterans on that day.

Mayor Tharp reported that he attended the presentation of the movie *Bedford: The Town They Left Behind* at the Congressional Auditorium in Washington and there were approximately 1,100 people in attendance.

The Mayor stated there seems to be a sentiment among Council members to move the meeting time from 7:30 p.m. to 7:00 p.m.

City Attorney Berry stated there is a City Code provision that says the meetings will be held on the second and fourth Tuesdays at 7:30 p.m. and the City Attorney was instructed to prepare an ordinance to change the time of the meetings.

Vice Mayor Wandrei announced that Bedford Blues & BBQ, sponsored by Bedford Main Street, will be held on June 13.

Mayor Tharp stated that a closed session will be held at the end of the meeting pursuant to Section 2.2-3711(a)(7) of the Code of Virginia of 1950, as amended, for consultation with legal counsel concerning legal matters.

The City Manager stated the purpose of the Public Hearing was to consider approval of a five-year fiber lease agreement with Jet Broadband VA LLC for use of dark-fiber optic lines by Jet Broadband as provider of high-speed data services to the Bedford County School Board.

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The Public Hearing Notice follows:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the City Council at 7:30 p.m. on Tuesday, June 9, 2009 at the City Municipal Building, Council Hall, 215 East Main Street for the purpose of:

- Considering approval of a five-year fiber lease agreement with Jet Broadband VA LLC for use of dark-fiber optic lines by Jet Broadband as provider of high-speed data services to the Bedford County School Board.

Information regarding the lease is on file in the office of the City Manger.

Anyone who is in favor of or opposed to the lease will have an opportunity to express his/her views at this hearing.

By the Authority of the City Council of the City of Bedford

Mayor Tharp opened the public hearing at 7:35 p.m.

As there were no comments, the Mayor closed the public hearing at 7:35 p.m.

The Consent Agenda consisted of the following items:

Appointment of Member – City School Board

The terms of two members on the City School Board expire June 30th. One individual has asked to be considered for reappointment: Betsy Klein. Mr. James H. Hundley has withdrawn for reappointment. In accordance with Section 22.1-29.1 of the Code of Virginia, a Public Hearing was held May 26, 2009, to receive the views of citizens on this appointment. Council is requested to reappoint Betsy Klein to serve on the City School Board, term to expire June 30, 2012.

Appointment of Members– Recreation Advisory Committee

Two appointments to the Recreation Advisory Committee will expire on June 30, 2009. Raymond Arrington and Jerome Battle have indicated their willingness to serve another term, if reappointed by Council. The vacancies have been advertised in the local newspaper, and no other citizens have volunteered to serve. Council is requested to reappoint Raymond Arrington and Jerome Battle to serve on the Recreation Advisory Committee, said terms to expire June 30, 2012.

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Request to Block Streets – Bedford Main Street, Inc.

“Bedford Blues & BBQ”

Bedford Main Street, Inc. is requesting that City Council authorize the closure of Center Street at the Farmer’s Market from 2:00 p.m. to 11:00 p.m. on Saturday, June 13, 2009.

“Centerfest” 2009

Bedford Main Street, Inc. is requesting that Council authorize blocking the following streets for “Centerfest” 2009 on Friday, September 25th, and Saturday, September 26th.

- East Main Street from Otey Street to Bridge Street
- West Main Street from Bridge Street to Ballard Street
- South Street from East Main Street to County Admin. Parking Lot
- Court Street from Museum lot to East Main Street
- South Bridge Street from Main to Washington
- North Bridge from Main to City lot south of Railroad Bridge
- West Depot from North Bridge Street to Ballard Street, Market Square (all)

The request is to close Center Street for a Centerfest Kick-off concert on Friday, September 25th from 5:30 p.m. until 11:30 p.m., and close the above streets on Saturday, September 26th from 6:00 a.m. until Midnight. A copy of Main Street’s general liability insurance policy for FY2008-2009 is on file. A policy for FY2009-2010 will be provided after July 1, 2009.

Bedford Main Street will notify affected businesses, as well as the Police Department, Fire Department and Rescue Squad.

On motion by Councilman Vest, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the Consent Agenda. Roll call vote follows:

Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Mayor Tharp	aye

City Manager Kolakowski stated it is requested that City Council approve the five-year Lease Agreement with JetBroadband VA LLC, which will provide high speed Internet service for schools throughout the City’s service area.

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City Attorney Berry stated that he had two suggested amendments to the Fiber Lease Agreement: 1. Change the date the agreement is made and entered into to: October 1, 2008, which is the effective date of the beginning of the term of the lease; 2. change the insurance requirement from “no limit of coverage” to the standard language used in all the City’s contracts, which requires one million dollars in coverage.

On motion by Councilman Stanley, seconded by Councilman Hubbard, voted upon carried by a roll call vote, Council accepted the lease agreement as modified and amended by City Attorney Berry. Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Mayor Tharp	aye

The City Manager stated the Fiscal Year 2009-2010 Budget is a document that has resulted from a very structured and formal development process. Council conducted work sessions to further refine it on May 12, 2009, and June 3, 2009. Mr. Kolakowski said that as a result of those work sessions, a number of adjustments have been made to the budget to include a number of tax increases; adjustments to a number of accounts based upon new information received on potential revenue; reductions in expenditures; elimination the Economic Development Coordinator position.

On motion by Councilman Vest, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council adopted the Fiscal Year 2009-2010 budget. Roll call vote follows:

Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Mayor Tharp	aye

City Manager Kolakowski stated that Section 58.1-3005 of the Code of Virginia of 1950, as amended, requires that Council annually levy a tax on all real estate located within the City. The proposed ordinance establishes a tax rate for Fiscal Year 2009-2010 of \$0.86 per one hundred dollars of assessed valuation. The ordinance has been posted in accordance with § 2-54 of the City Code. The City Manager stated that City Council was requested to adopt the ordinance establishing the real estate tax rate for Fiscal Year 2009-2010 at \$0.86 per one hundred dollars of assessed valuation.

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On motion by Councilman Vest, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council adopted the ordinance establishing the real estate tax rate for Fiscal Year 2009-10. Roll call vote follows:

Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Mayor Tharp	aye

The ordinance follows as adopted:

ORDINANCE NO 09-06

AN ORDINANCE LEVYING TAX UPON REAL ESTATE AND CERTAIN TANGIBLE PERSONAL PROPERTY OF PUBLIC SERVICE CORPORATIONS AND ESTABLISHING THE TAX RATE THEREON FOR THE FISCAL YEAR BEGINNING JULY 1, 2009

BE IT ORDAINED by the City Council of the City of Bedford, Virginia, that there be, and is hereby levied for the Fiscal Year 2009-2010, a tax rate of \$0.86 per one hundred dollars of assessed valuation on all taxable real estate located in the City, the respective levy hereby ordered being also applicable to the real estate and tangible personal property of public service corporations within the limitations specified by Section 58.1-2606 of the Code of Virginia of 1950, as amended, based upon the assessment thereof fixed by the State Corporation Commission and duly certified.

The City Manager stated that Section 58.1-3005 of the Code of Virginia of 1950, as amended, requires that Council shall annually levy a tax on tangible personal property located within the City. The proposed ordinance establishes a tax rate for calendar year 2009 of \$2.43 per one hundred dollars of one hundred per centum (100%) of assessed value on all taxable tangible personal property, with the exception of household goods and personal effects as classified in §58.1-3504 and horses, mules and other kindred animals, hogs, poultry, grains and other feeds used for the nurture of farm animals, grain and tobacco; cattle, sheep and goats, farm machinery and farm implements as such items are classified in Section 58.1-3505. Mr. Kolakowski stated that all tangible personal property employed in a trade or business other than that described in subdivisions 1 through 16 of §58.1-3503 is taxed at a levy of \$1.50 per one hundred dollars of one hundred per centum (100%) of the assessed valuation. The ordinance also establishes a

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tax rate of \$1.30 per one hundred dollars of one hundred per centum (100%) of assessed valuation on machinery and tools as classified in §58.1-3507, and motor carriers as separately classified in §58.1-3506. The ordinance has been posted in accordance with §2-54 of the City Code. City Manager Kolakowski stated that Council was requested to adopt the ordinance establishing the personal property tax rate for Calendar Year 2009.

On motion by Councilman Vest, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council adopted the ordinance establishing the personal property tax rate for calendar year 2009. Roll call vote follows:

Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Tharp	aye

The ordinance follows as adopted:

ORDINANCE NO. 09-07

AN ORDINANCE LEVYING TAX UPON TANGIBLE PERSONAL PROPERTY AND ESTABLISHING THE TAX RATES THEREON FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2009

ORDINANCE

BE IT ORDAINED by the City Council of the City of Bedford, Virginia, that there be, and is hereby levied, for the calendar year 2009, a tax rate of \$2.43 per one hundred dollars of one hundred per centum (100%) of assessed value on all taxable tangible personal property, including property separately classified in Section 58.1-3503 of the Code of Virginia of 1950, as amended, unless exempted from taxation or subject to a different rate under this ordinance. All tangible personal property employed in a trade or business other than that described in subdivisions 1 through 18 of Section 58.1-3503 is taxed at a levy of \$1.50 per one hundred dollars of one hundred per centum (100%) of the assessed valuation. Household goods and personal effects as classified in Section 58.1-3504 and horses, mules and other kindred animals, hogs, poultry, grains and other feeds used for the nurture of farm animals, grain and tobacco; cattle, sheep and goats, farm machinery and farm implements as such items are classified in Section 58.1-3505 are exempted in whole from tangible personal property taxation. The following items are taxed at a rate of \$1.30 per one hundred dollars of one hundred per centum (100%)

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of the assessed valuation: (a) machinery and tools as separately classified in Section 58.1-3507; and (b) motor carriers as separately classified in Section 58.1-3506.

City Manager Kolakowski stated a levy on the sale or use of cigarettes is authorized by Va. Code Sections 58.1-3830 and 58.1-3831 in Arlington and Fairfax counties and in local jurisdictions having such power before January 1, 1977. The City of Bedford has such a tax which is found in Article VII, Chapter 22 of the City Code. The present rate of tax is one cent per cigarette with a minimum of twenty cents per pack (Section 22-74). The proposed ordinance changing the rate to one and one-half cents per cigarette with a minimum of 30 cents per pack has been posted properly. The Council can pass an ordinance setting any rate no higher than the rate that was posted. The City Manager stated that Council was requested to approve an amendment of the City Code to increase the rate of taxation upon the sale of cigarettes in the City to 30 cents per pack.

On motion by Vice Mayor Wandrei, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the ordinance establishing the cigarette tax rate. Roll call vote follows:

Councilman Hubbard	aye
Councilman Rush	nay
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Mayor Tharp	aye

The ordinance follows as adopted:

ORDINANCE NO. 09-08

AN ORDINANCE TO INCREASE THE RATE OF TAX UPON CIGARETTES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

Section 22-74 of the City Code is amended and reenacted as follows:

Section 22-74. Tax levied.

There is levied a tax at the rate of one and one-half cent (\$0.015) per cigarette on each cigarette with a minimum of thirty cents (\$0.30) per package upon or before that cigarette is sold at retail in the city. The seller, dealer, or

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other agent involved in the sale of the cigarette shall pay this tax to the city by purchasing and affixing a stamp or stamps in appropriate denominations to each package of cigarettes sold at retail in the city, prior to its sale, or by paying the tax directly to the city in cases where unpackaged cigarettes may be sold.

Section 2. The Clerk is directed pursuant to the provisions of Section 10 of the City Charter to publish the Ordinance one time in a newspaper published in the City or to post the Ordinance in three or more public places in the City for one week, and the Ordinance shall take effect on July 1, 2009, after seven (7) days have elapsed following the publication in the newspaper or after seven (7) days have elapsed following completion of posting.

City Manager Kolakowski stated that the Virginia General Assembly in 1998 passed the Personal Property Tax Relief Act with the philosophy that relief would be gradually implemented to eliminate personal property tax on personal use motor vehicles. By 2004, the Virginia General Assembly had revised its philosophy and capped the contribution from the Commonwealth to localities for reimbursement for personal property taxes. The City Manager explained that as a result, the City Council, on November 22, 2005, in accordance with state statutes, adopted an ordinance which provided that the funds to be reimbursed to the City of Bedford by the Commonwealth would be allocated in such a manner as to eliminate personal property taxation on each qualifying vehicle with an assessed value of \$1,000 or less and that the Council would set, annually by resolution, a percentage of relief in respect to assessed values of more than \$1,000 as applied to the first \$20,000 in value of each such qualifying vehicle so as to exhaust fully the PPTRA relief funds provided to the City by the Commonwealth.

City Manager Kolakowski said the Commissioner of Revenue and the Finance Director have been advised that the State has allocated \$280,647.01 toward personal property tax relief in the City of Bedford for fiscal year 2009-2010. As the 2008-09 relief rate was set at 53.76% creating a shortfall of approximately \$6,172, it is recommended, based upon projected personal property tax valuations that the reimbursement relief rate be set at 48%. The City Manager explained that the net effect of the resolution is to provide that the state relief funds will be allocated in such a way that for fiscal year 2009-2010, (a) personal property taxation upon qualifying vehicles with an assessed value of \$1,000 or less will be eliminated; (b) in respect to that portion of assessed value over \$1,000 and no more than \$20,000, 48% of the applicable tax will be relieved, and (c) the applicable tax rate shall apply to all assessed values over \$20,000 and to all non-qualifying vehicles.

On motion by Vice Mayor Wandrei, seconded by Councilman Vest, voted upon and carried by a roll call vote, Council adopted the resolution setting the percentage tax relief. Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye

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Councilman Vest	aye	
Vice Mayor Wandrei		aye
Councilwoman Flood		absent
Councilman Hubbard		aye
Mayor Tharp	aye	

The resolution follows as adopted:

**A RESOLUTION ESTABLISHING A
PERCENTAGE TAX RELIEF RATE PURSUANT
TO THE VIRGINIA PERSONAL PROPERTY TAX RELIEF ACT**

WHEREAS, the Virginia General Assembly in 1998 passed the Personal Property Relief Act based upon a philosophy that in passing the Act the personal property tax on personal motor vehicles would be eliminated; and

WEHREAS, in 2001, the Virginia General Assembly set the reimbursement rate to localities for personal property taxes for personal vehicles at seventy percent (70%) of the personal property tax amount; and

WHEREAS, in 2004, the Virginia General Assembly enacted statutes which drastically changed the philosophy of the Act and capped the contribution of the Commonwealth to localities for reimbursement for personal property taxes; and

WHEREAS, on November 22, 2005 the City Council of the City of Bedford passed an ordinance (Ordinance No. 05-24) which provided, among other things, that the allocation of personal property tax relief be allocated in such a manner as to eliminate personal property taxation on each qualifying vehicle with an assessed value of \$1,000 or less and that with respect to qualifying vehicles with assessed values of more than \$1,000 the City Council, by resolution, would set annually a percentage to be applied to the first \$20,000 in value of each such qualifying vehicle that based upon estimates of assessments would use up all remaining available state personal property tax relief; and

**NOW, THEREFORE, BE IT RESOLVED BY THE
COUNCIL OF THE CITY OF BEDFORD AS FOLLOWS:**

Section 1. In accordance with the requirements set forth in Section 58.1-3524(C) (2) and Section 58.1-3912(E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in item 503.E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle having a

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situs within the City commencing January 1, 2009, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;

- Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 48% tax relief;

- Personal use vehicles valued at \$20,001 or more shall only receive 48% tax relief on the first \$20,000 of value; and

- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor home, etc.) will not be eligible for any form of tax relief under this program.

Section 2. Any amount of Personal Property Tax Relief Act relief not used within and the City’s fiscal year shall be carried forward and used to increase the funds available for personal property tax relief in the following fiscal year.

Section 3. This Resolution shall take effect on July 1, 2009.

The City Manager stated that Section 58.1-3005 of the Code of Virginia of 1950, as amended, requires that Council shall, on a regular basis, make an appropriation of funds for expenditure by the City. The proposed ordinance directs that the funds as set out in the budget for Fiscal Year 2009-2010 be appropriated and set aside to the appropriate funds, and authorizes the City Manager to expend the funds in accordance with said budget and in accordance with prior appropriations. The ordinance denoting the original appropriations has been posted in accordance with §2-54 of the City Code. Mr. Kolakowski stated that City Council was requested to adopt the ordinance appropriating funds as set out in the budget for Fiscal Year 2009-2010 and authorize the City Manager to expend the funds in accordance with said budget.

On motion by Councilman Stanley, seconded by Vice Mayor Wandrei, voted upon and carried, Council adopted the ordinance appropriating funds for Fiscal Year 2009-2010. Roll call vote follows:

Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Mayor Tharp	aye

The ordinance follows as adopted:

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ORDINANCE NO. 09-09

BE IT ORDAINED that the City Council of the City of Bedford, Virginia, hereby directs that the funds as set out in the budget for Fiscal Year 2009-2010 for the City of Bedford are appropriated and set aside to the General Fund, to the Solid Waste Fund, to the Water and Sewer Fund, and to the Electric Fund, as shown in said budget, and that the City Manager is authorized to expend the funds in the General Fund, Solid Waste Fund, Water and Sewer Fund, and Electric Fund, in accordance with said budget and in accordance with prior appropriations.

City Manager Kolakowski reported that the Virginia Department of Environmental Quality has awarded the City of Bedford a Virginia Clean Water Revolving Loan Fund Special Federal Stimulus Grant to fund construction of a pilot wastewater reuse project to provide Brooks Food Group with non-potable water from the City's wastewater treatment facility for use in their in-house cooling facility. This award did not include \$33,000 in funds for engineering fees, project inspection fees and required permits. The City Manager stated that Council is requested to adopt the resolution authorizing submission of an application as well as authorizing the City Manager to sign on behalf of the City and execute all grant-related documents accepting responsibility for the accuracy of the application and for the appropriate use of funds, should they be granted.

On motion by Councilman Stanley, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Mayor Tharp	aye

The resolution follows as adopted:

**RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF BEDFORD
REGARDING A PILOT WASTEWATER REUSE PROJECT**

WHEREAS, the Virginia Department of Environmental Quality has awarded the City of Bedford a Virginia Clean Water Revolving Loan Fund Special Federal Stimulus Grant to fund construction of a pilot wastewater reuse project to provide Brooks Food Group with non-potable

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water from the City's wastewater treatment facility for use in their in-house cooling facility; and

WHEREAS, this award did not include \$33,000 in funds for engineering fees, project inspection fees and required permits; and

WHEREAS, City Council desires to apply for funds from the Virginia Tobacco Commission Reserve Fund, which was created to complement such stimulus funding opportunities; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Bedford that the City Manager is authorized to submit an application and sign all grant-related documents accepting responsibility for the accuracy of the application and for the appropriate use of funds, should they be granted.

Councilman Stanley moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(1), personnel, of the Code of Virginia of 1950, as amended. Councilman Rush seconded the motion. The motion was voted upon and carried by the following roll call vote:

Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Tharp	aye

Council adjourned into closed session at 7:50 p.m. The following non-council members attended: City Manager Kolakowski and Assistant City Manager Warner.

Council reconvened into open session at 8:15 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

On motion by Vice Mayor Wandrei, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

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Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Mayor Tharp	aye

On motion by Vice Mayor Wandrei, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council appointed Mr. Darren Shoen to the City Planning Commission (term to expire March 31, 2013), Roll call vote follows:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Mayor Tharp	aye

Councilman Stanley moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(7), personnel, of the Code of Virginia of 1950, as amended, for consultation with legal counsel concerning legal matters. Vice Mayor Wandrei seconded the motion. The motion was voted upon and carried by the following roll call vote:

Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Mayor Tharp	aye

Council adjourned into closed session at 8:18 p.m. The following non-council members attended: City Manager Kolakowski, City Attorney Berry, Assistant City Manager Warner, and Chief of Police Day

Council reconvened into open session at 8:30 p.m.

The Clerk of Council read aloud the following resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

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On motion by Councilman Vest, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	absent
Councilman Hubbard	aye
Councilman Rush	aye
Councilman Stanley	aye
Mayor Tharp	aye

Mayor Tharp adjourned the meeting at 8:31 p.m.